

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

Monique Annette Doward,

Civ. No. 24-182 (JWB/LIB)

Plaintiff,

v.

State of Minnesota,

Defendant.

**ORDER ACCEPTING  
REPORT AND  
RECOMMENDATION OF  
MAGISTRATE JUDGE**

---

Monique Annette Doward, pro se Plaintiff.

---

United States Magistrate Judge Leo I. Brisbois issued a Report and Recommendation (“R&R”) on January 30, 2024. (Doc. No. 3.) Plaintiff Monique Annette Doward has filed objections. (Doc. No. 4.) A district court reviews the portions of the R&R to which the parties object de novo and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b)(3). When a party fails to file specific objections to an R&R or merely repeats its prior arguments, de novo review is not required. *See Montgomery v. Compass Airlines, LLC*, 98 F. Supp. 3d 1012, 1017 (D. Minn. 2015). The portions of an R&R to which no specific objection is made are reviewed for clear error. *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Because Doward is pro se, her objections receive liberal construction. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

Doward’s objection that her claims present federal questions misunderstands the

procedural defects in her filing and does not present a specific argument challenging the R&R's findings. As either plaintiff or counterclaim plaintiff, Doward is not permitted to remove her own claims to federal court. 28 U.S.C. §§ 1446(a), 1441; *Shamrock Oil & Gas Corp. v. Sheets*, 313 U.S. 100, 107 (1941). There is no subject matter jurisdiction and Doward's objection is overruled.

### **ORDER**

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The January 30, 2024 Report and Recommendation (Doc. No. 3) is **ACCEPTED**;
2. The present action is **DISMISSED WITHOUT PREJUDICE** for improper removal and lack of subject matter jurisdiction; and
3. Plaintiff Monique Annette Doward's Application to Proceed in District Court without Prepaying Fees or Costs (Doc. No. 2) is **DENIED** as moot.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: April 2, 2024

s/ Jerry W. Blackwell  
JERRY W. BLACKWELL  
United States District Judge